

REMARKS

Claims 1-7, 10-11, 13-16, and 19-20 are all the claims pending in the application. Claims 8, 9, 12, 17, and 18 are cancelled herein without prejudice or disclaimer. Claims 9, 12, and 18 stand objected to as being dependent on rejected base claims, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 1-8, 10-11, 13-17, and 19-20 stand rejected on prior art grounds. Claims 1, 6, and 7 are amended herein. No new matter is being added. The Applicant respectfully traverses these objections/rejections based on the following discussion.

I. The Prior Art Rejections

Claims 1-3, 5-8, 10, 13-14, 16-17, and 19 stand rejected under 35 U.S.C. §102(a) as being anticipated by Fernandez et al. (WIPO No. WO 99/65256), hereinafter referred to as "Fernandez". Claims 4, 11, 15, and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Fernandez. The Applicant respectfully traverses these rejections based on the following discussion.

Fernandez discloses a system and method for delivering to a digital mobile phone notifications of e-mail or v-mail, or both of them, and for delivering e-mail summaries or v-mail summaries, or both of them, and which makes it possible for a user to configure all of his or her e-mail (and preferably also v-mail) account delivery options from a single location on the world-wide web. The e-mail messages delivered to the phone are in a "summarized" form consistent with the message length limit and typically small display of a phone. The system does not interfere with existing e-mail or v-mail accounts but delivers to a user, via his or her digital

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phone, a notification that an e-mail (or v-mail) message is waiting for the user, along with some basic information (in the case of e-mail) about the message such as the identity of the sender, the time the message was sent, the subject and a truncated version of the main text. The user can retrieve the full message, with attachments, when access to an appropriate communications device is available. Alternatively, the user may call in to an interactive voice response server which is interfaced to the e-mail forwarding system, to obtain text-to-speech playback of e-mail messages. Optionally, the user may then dictate an immediate response to the IVR server which is then returned to the sender as a voice file attachment in a reply e-mail.

However, amended independent claims 1, 6, and 7 include features not taught or suggested in the prior art references of record, and in particular, Fernandez. Specifically, amended independent claim 1 now incorporates the allowable subject matter previously provided in dependent claims 8 and 9 (now cancelled without prejudice or disclaimer). Likewise, independent claim 6 now incorporates the allowable subject matter previously provided in dependent claim 12 (now cancelled without prejudice or disclaimer). Similarly, independent claim 7 now incorporates the allowable subject matter previously provided in dependent claims 17 and 18 (now cancelled without prejudice or disclaimer). The Office Action generally indicates that amending the claims in the manner provided above will result in allowable claims.

Specifically, independent claim 1 now generally recites, in part, "receiving a message for a user, wherein said message comprises a voice message; converting said voice message into text; transmitting said text to said user by sending a notification to the user informing the user of receipt of the message; and receiving one or more directions from the user in response to the notification to the user, each of the directions instructing one or more correspondingly

predetermined actions in relation to the message, wherein said predetermined actions comprise appending one message to another message, and wherein said predetermined actions comprise appending text from one voice message to text of another voice message."

Independent claim 6 now generally recites, in part, "means for receiving a message for a user, wherein said message comprises a voice message; means for converting said voice message into text; means for sending a notification to the user informing the user of receipt of the message; means for transmitting said text in said notification to said user; and means for receiving one or more directions instructing one or more correspondingly predetermined actions in relation to the message, wherein said predetermined actions comprise appending one message to another message, and wherein said predetermined actions comprise appending text from one voice message to text of another voice message."

Independent claim 7 now generally recites, in part, "software code for receiving a message for a user, wherein said message comprises a voice message; software code for converting said voice message into text; software code for sending a notification to the user informing the user of receipt of the message; software code for transmitting said text in said notification to said user; and software code for receiving one or more directions from the user in response to the notification to the user, each of the direction instructing one or more correspondingly predetermined actions in relation to the message, wherein said predetermined actions comprise appending one message to another message, and wherein said predetermined actions comprise software code for appending text from one voice message to text of another voice message."

There is no teaching in Fernandez of incorporating such features in its system and

method. As previously mentioned, in contrast, Hernandez teaches text to voice conversion, but does not teach voice to text conversion because, in Hernandez, the goal is to send e-mails to a cellular phone, whereby the text of the e-mail is converted to voice so that the cell phone user can hear the contents of the e-mail. However, the claimed invention is not so limited, and provides a method and means for converting a voice message into text.

In view of the foregoing, the Applicant respectfully submits that the cited prior art reference, namely Hernandez, does not teach or suggest the features defined by amended independent claims 1, 6, and 7 and as such, claims 1, 6, and 7 are patentable over Hernandez. Further, dependent claims 2-5, 10, 11, 13-16, 19, and 20 are similarly patentable over Hernandez, not only by virtue of their dependency from patentable independent claims, respectively, but also by virtue of the additional features of the invention they define. Moreover, the Applicant notes that all claims are properly supported in the specification and the drawings and no new matter is being added. In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw the rejections.

II. Formal Matters and Conclusion

In view of the foregoing, Applicants submit that claims 1-7, 10-11, 13-16, and 19-20, all the claims presently pending in the application, are patentably distinct from the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to

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discuss any other changes deemed necessary.

Please charge any deficiencies and credit any overpayments to Attorney's Deposit
Account Number 09-0441.

Respectfully submitted,

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